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12 INDIAN WELLS VALLEY WATER DISTRICT

13  
14 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
15 FOR THE COUNTY OF ORANGE, CIVIL COMPLEX CENTER

16 MOJAVE PISTACHIOS, LLC; et al.,

17 Plaintiffs,

18 v.

19 INDIAN WELLS VALLEY WATER  
20 DISTRICT; et al.,

21 Defendants.

Case No. 30-2021-01187275-CU-OR-CJC

*[Related to: Case No. 30-2021-01187589-CU-  
WM-CXC; Case No. 30-2021-01188089-CU-  
WM-CXC; Case No. 30-2022-01239479-CU-  
MC-CJC; Case No. 30-2022-01239487-CU-  
MC-CJC; Case No. 30-2022-01249146-CU-  
MC-CJC]*

Assigned For All Purposes To:  
The Honorable William Claster, Dept. CX104

22  
23  
24 **JOINT STATUS CONFERENCE  
25 STATEMENT**

26 **Date: June 2, 2023**  
27 **Time: 1:30 p.m.**  
28 **Dept.: CX104**

1 INDIAN WELLS VALLEY WATER  
2 DISTRICT,

3 Cross-Complainant,

4 v.

5 ALL PERSONS WHO CLAIM A RIGHT  
6 TO EXTRACT GROUNDWATER IN THE  
7 INDIAN WELLS VALLEY  
8 GROUNDWATER BASIN NO. 6-54  
9 WHETHER BASED ON  
10 APPROPRIATION, OVERLYING RIGHT,  
11 OR OTHER BASIS OF RIGHT, AND/OR  
12 WHO CLAIM A RIGHT TO USE OF  
13 STORAGE SPACE IN THE BASIN; et al.,

14 Cross-Defendants.

15 SEARLES VALLEY MINERALS INC.,

16 Cross-Complainant,

17 v.

18 ALL PERSONS WHO CLAIM A RIGHT  
19 TO EXTRACT GROUNDWATER IN THE  
20 INDIAN WELLS VALLEY  
21 GROUNDWATER BASIN NO. 6-54  
22 WHETHER BASED ON  
23 APPROPRIATION, OVERLYING RIGHT,  
24 OR OTHER BASIS OF RIGHT, AND/OR  
25 WHO CLAIM A RIGHT TO USE OF  
26 STORAGE SPACE IN THE BASIN; et al.,

27 Cross-Defendants.

28 AND RELATED CASES.

Complaint Filed:  
Trial Date:

November 19, 2019  
None Set

1 **JOINT STATUS CONFERENCE STATEMENT**

2 Defendant, Cross-Complainant, and Cross-Defendant Indian Wells Valley Water District  
3 (“District”) has made a good faith effort to solicit input from parties prior to submission of this  
4 Joint Status Conference Statement.<sup>1</sup>

5 **1. WHAT HAS BEEN DONE IN THE CASE**

6 **A. STATUS OF THE PLEADINGS**

7 On November 19, 2019, Plaintiffs filed a Complaint for Quiet Title, Declaratory Relief  
8 and Injunction Imposing a Physical Solution: Not General Adjudication against District, Searles,  
9 and Meadowbrook. In response to Plaintiffs’ complaint, on June 16, 2021, District filed a  
10 Cross-Complaint for Comprehensive Adjudication of the Basin pursuant to the California  
11 Streamlined Groundwater Adjudication Statutes (Code Civ. Proc., §§ 830-852) (“Comprehensive  
12 Adjudication”). Searles has also filed a cross-complaint seeking a comprehensive groundwater  
13 rights adjudication.

14 **B. STATUS OF ASSIGNMENT BY CHAIRPERSON OF THE JUDICIAL**  
15 **COUNCIL OF A JUDGE TO PRESIDE IN ALL PROCEEDINGS**

16 On May 20, 2022, at the initial Case Management Conference in the Comprehensive  
17 Adjudication, the Court directed District to take the lead in requesting that the Chairperson of the  
18 Judicial Council assign a judge to preside over the groundwater rights adjudication proceedings

19 \_\_\_\_\_  
20  
21 <sup>1</sup> The following parties have met and conferred and submit this Joint Statement for the June 2, 2023 Status  
22 Conference: (1) Plaintiffs and Cross-Defendants Mojave Pistachios, LLC; John Thomas Conaway; John Thomas  
23 Conaway Trust; John Thomas Conaway Living Trust u/d/t August 7, 2008; Nugent Family Trust; and Sierra  
24 Shadows Ranch LP (collectively, “Plaintiffs”); (2) District; (3) Defendant, Cross-Defendant, and Cross-Complainant  
25 Searles Valley Minerals Inc. (“Searles”); (4) Defendants and Cross-Defendants Meadowbrook Dairy Real Estate,  
26 LLC; Big Horn Fields, LLC; Brown Road Fields, LLC; Highway 395 Fields, LLC; and the Meadowbrook Mutual  
27 Water Company (collectively, “Meadowbrook”); (5) Cross-Defendant United States of America (“United States”);  
28 (6) Cross-Defendants California Department of Fish and Wildlife, California Department of Parks and Recreation,  
and California 53rd District Agricultural Association (collectively, “State”); (7) Cross-Defendant City of Ridgecrest  
 (“City”); (8) Cross-Defendant County of Kern (“Kern County”); (9) Cross-Defendant Little Lake Ranch, Inc.  
 (“Little Lake”); (10) Cross-Defendant BT-OH, LLC (“BT-OH”); (11) Cross-Defendant Inyokern Community  
 Services District (“ICSD”); (12) Cross-Defendant Indian Wells Valley Groundwater Authority (“Authority”);  
 (13) Cross-Defendant the City of Los Angeles, acting by and through its Department of Water and Power  
 (“LADWP”); and (14) Cross-Defendant Granite Construction Company, erroneously named as Granite Construction  
 Water System (“Granite”). (Plaintiffs, District, Searles, Meadowbrook, United States, State, City, Kern County,  
 Little Lake, BT-OH, ICSD, Authority, LADWP, and Granite are collectively referred to as “Parties.”)

1 pursuant to Code of Civil Procedure section 838(a)(1). The Court also expressed a willingness to  
2 continue to preside over all of the related cases.

3 On August 10, 2022, Plaintiffs, District, Searles, Meadowbrook, United States, and  
4 Indian Wells Valley Groundwater Authority (“Authority”) filed in this Court and mailed to the  
5 Judicial Council a Joint Request for Assignment by Chairperson of the Judicial Council (Code  
6 Civ. Proc., § 838(a)). The Joint Request requested that the Chairperson of the Judicial Council  
7 assign a judge to preside in all proceedings in the Comprehensive Adjudication and specifically  
8 requested that the Chairperson assign the Honorable William Claster as said judge.

9 At the December 2, 2022 Case Management Conference, the Court indicated that it  
10 would follow up with the Judicial Council as it did not appear the Judicial Council had yet acted  
11 on the Joint Request. On December 21, 2022, District sent another copy of the Joint Request to  
12 the Judicial Council at the Court’s request.

13 At the Status Conference on March 17, 2023, the Court indicated that the Courtroom  
14 Clerk had followed up with the Judicial Council on the Joint Request but had been unsuccessful  
15 in having the Judicial Council assign a judge to the adjudication proceedings.

16 On March 30, 2023, the Court granted the joint ex parte application of District, Plaintiffs,  
17 Searles, Meadowbrook, Little Lake, BT-OH, ICSD, Granite, Cross-Defendant Michael P.  
18 Henson, and Cross-Defendant Tamera Walters and entered an Order Referring Action to Judicial  
19 Council for Judicial Assignment (Code Civ. Proc., § 838(a)) (“Referral Order”).

20 On April 4, 2023, the Court sent a copy of the Referral Order to the Judicial Council.

21 On April 5, 2023, District emailed and mailed a copy of the Referral Order to the Judicial  
22 Council.

23 On April 18, 2023, District contacted the Judicial Council and confirmed the Judicial  
24 Council’s receipt of the Referral Order. District followed up with the Judicial Council on  
25 May 8, 2023.

26 As of the filing of this Joint Statement, there has yet to be a response from the Judicial  
27 Council.

28

1 C. STATUS OF NOTICE AND SERVICE

2 District has completed and complied with all notice and service requirements required by  
3 Code of Civil Procedure section 830 *et seq.* and Court orders regarding notice and service.

4 D. STATUS OF PARTICIPATION BY DE MINIMIS PUMPERS

5 Pursuant to Code of Civil Procedure section 833(d), if a court finds that claims of right to  
6 pump only “minor” quantities of water, not exceeding five acre-feet of water per year, would not  
7 have a material effect on the groundwater rights of other parties, the court may exempt those  
8 claimants with respect to those claims from a comprehensive adjudication. (Code Civ. Proc.,  
9 § 833(d).)

10 Under the Sustainable Groundwater Management Act of 2014 (“SGMA”), a “de  
11 minimis” pumper is defined as a person who extracts, for domestic purposes, two acre-feet of  
12 groundwater or less per year. (Wat. Code, § 10721(e).) Authority currently exempts de minimis  
13 pumpers from the payment of Authority’s Replenishment Fee and certain other GSP-related  
14 programs.

15 United States’ position is that the McCarran Amendment’s waiver of sovereign immunity  
16 for a comprehensive state court adjudication requires joinder of all groundwater right users and  
17 potential claimants. (See, *infra*, § 1.F for further discussion.)

18 No determination has been made whether to exempt minor water pumpers. The Court  
19 has paused or stayed participation by such parties since the initial Case Management Conference  
20 on May 20, 2022.

21 E. STATUS OF RELATED PROCEEDINGS

22 The Parties request the Court to conduct the status conference on the Comprehensive  
23 Adjudication before taking up the status conferences on the related cases.

24 (1) *Mojave Pistachios, LLC; et al. v. Indian Wells Valley Groundwater*  
25 *Authority; et al.*, OCSC Case No. 30-2021-01187589-CU-WM-CXC (the “Mojave Pistachios  
26 Action”) (consolidated with the Searles Action; related to all cases listed on the caption; and  
27 pending before The Honorable William Claster): On September 30, 2020, Mojave Pistachios,  
28 LLC and Paul G. Nugent and Mary E. Nugent, Trustees of the Nugent Family Trust dated

1 June 20, 2011 (collectively, “Mojave Pistachios”) filed a Petition for Writ of Mandamus and  
2 Complaint against Authority. On January 6, 2023, Mojave Pistachios filed a Fourth Amended  
3 Petition for Writ of Mandamus and Complaint. Through its petition, Mojave Pistachios alleges,  
4 inter alia, that Authority adopted a Groundwater Sustainability Plan on January 16, 2020  
5 (“GSP”) that is illegal and technically deficient.

6 A status conference in the Mojave Pistachios Action is set to occur on June 2, 2023 in  
7 this Department. However, the Mojave Pistachios Action is currently stayed pursuant to an order  
8 of the Court of Appeal, Fourth Appellate District, Division Three. On April 26, 2023, the Court  
9 of Appeal issued an Order to Show Cause as to why mandate or other appropriate relief should  
10 not issue on Mojave Pistachios’ February 21, 2023 petition for writ of mandate. The Order to  
11 Show Cause stayed the Mojave Pistachios Action pending further order of the Court of Appeal  
12 and set a briefing schedule. Authority’s formal return to the petition is due on May 26, 2023 and  
13 Mojave Pistachios’ formal reply is due on June 26, 2023.

14 Mojave Pistachios has elected to prepare the administrative record. Authority filed an  
15 answer to Mojave Pistachios’ Fourth Amended Petition and Complaint on April 24, 2023, just  
16 two days before the Court of Appeal stayed this action. The administrative record has not been  
17 prepared in the consolidated cases.

18 (2) *Searles Valley Minerals Inc. v. Indian Wells Valley Groundwater*  
19 *Authority; et al.*, OCSC Case No. 30-2021-01188089-CU-WM-CXC (the “Searles Action”)  
20 (consolidated with the Mojave Pistachios Action, which is the lead case; related to all cases listed  
21 on the caption; and pending before The Honorable William Claster): On September 29, 2020,  
22 Searles filed a Petition for Writ of Mandate; Complaint for Declaratory and Injunctive Relief;  
23 and Takings Claims under the California Constitution against Authority and Authority’s Board  
24 of Directors. On or about August 25, 2021, Searles filed a First Amended Petition for Writ of  
25 Mandate and Complaint for Declaratory and Injunctive Relief; and Takings Claim under the  
26 California Constitution. Through its petition, Searles challenges the validity of Authority’s GSP.

27 A status conference in the Searles Action is set to occur on June 2, 2023 in this  
28 Department.

1 Authority filed an Answer to Searles' First Amended Petition and Complaint on  
2 April 24, 2023, just two days before the Mojave Pistachios Action was stayed. Given that the  
3 administrative records for both the Mojave Pistachios and Searles Actions are likely to be mostly  
4 similar, the administrative record has not been prepared in the consolidated cases. Moreover,  
5 Searles intends to file a motion for leave to amend its operative complaint to add a Public  
6 Records Act cause of action for Authority's failure to comply with Searles' request for public  
7 records for the administrative record.

8 (3) *Indian Wells Valley Groundwater Authority v. Mojave Pistachios, LLC; et*  
9 *al.*, OCSC Case No. 30-2022-01239479-CU-MC-CJC (related to all cases listed on the caption;  
10 and pending before The Honorable William Claster): On January 5, 2022, Authority filed a  
11 Complaint for Preliminary and Permanent Injunction; Recovery of Delinquent Groundwater  
12 Fees; and Civil Penalties against Mojave Pistachios. Through its complaint, Authority seeks to  
13 enjoin Mojave Pistachios from operating groundwater wells without payment of Basin  
14 Replenishment Fees, delinquent groundwater extraction charges, and civil penalties. Mojave  
15 Pistachios filed an Answer on April 11, 2022. A status conference in this matter is set to occur  
16 on June 2, 2023 in this Department.

17 The Authority contends the case is at issue and the Authority requests that a trial date be  
18 set. The Authority also intends to file a motion for preliminary injunction in this action.

19 (4) *Indian Wells Valley Groundwater Authority v. Searles Valley Minerals*  
20 *Inc.*, OCSC Case No. 30-2022-01239487-CU-MC-CJC (related to all cases listed on the caption;  
21 pending before The Honorable William Claster): On January 5, 2022, Authority filed a  
22 Complaint for Preliminary and Permanent Injunction; Recovery of Delinquent Groundwater  
23 Fees; and Civil Penalties against Searles. Through its complaint, Authority seeks to enjoin  
24 Searles from operating groundwater wells without payment of Basin Replenishment Fees,  
25 delinquent groundwater extraction charges, and civil penalties. Searles filed an Answer on  
26 April 19, 2022. A status conference in this matter is set to occur on June 2, 2023 in this  
27 Department.

1 The Authority contends the case is at issue and the Authority requests that a trial date be  
2 set. The Authority also intends to file a motion for preliminary injunction in this action.

3 (5) *Mojave Pistachios, LLC; et al. v. Indian Wells Valley Groundwater*  
4 *Authority; et al.*, OCSC Case No. 30-2022-01249146-CU-MC-CJC (related to all cases listed on  
5 the caption; and pending before The Honorable William Claster): On March 9, 2022, Mojave  
6 Pistachios filed a Complaint for Refund of Extraction Fees Paid against Authority, seeking to  
7 recover fee payments levied by Authority pursuant to Ordinance No. 02-20, as later amended by  
8 Ordinance Nos. 02-20 and 05-20, which impose a \$105 per acre-foot groundwater extraction fee,  
9 which Authority states is necessary to finance the estimated costs to develop and adopt the GSP.  
10 On August 24, 2022, the Court stayed the matter pending a resolution of the Mojave Pistachios  
11 Action. A status conference in this matter is set to occur on June 2, 2023 in this Department.

12 (6) *Indian Wells Valley Groundwater Authority v. Inyo Kern Community*  
13 *Services District*, Kern County Superior Court Case No. BCV-22-100281 (Notice of Related  
14 Case filed by Mojave Pistachios on April 26, 2022, but not yet acted upon): On  
15 February 1, 2022, Authority filed a Complaint for Preliminary and Permanent Injunction;  
16 Recovery of Delinquent Groundwater Extraction Fees; Imposition of Civil Penalties against  
17 ICSD. Through its complaint, Authority seeks to enjoin ICSD from operating groundwater wells  
18 without payment of Basin Replenishment Fees, delinquent groundwater extraction charges, and  
19 civil penalties. ICSD filed an Answer on November 18, 2022. This action is not pending in this  
20 Court. A status conference in this matter is set to occur on August 11, 2023.

21 F. THIS COURT'S JURISDICTION OVER THE COMPREHENSIVE  
22 ADJUDICATION PURSUANT TO THE STREAMLINED GROUNDWATER  
23 ADJUDICATION STATUTES

24 United States is party in the Comprehensive Adjudication under the McCarran  
25 Amendment (43 U.S.C. § 666; *United States v. District Court in and for Eagle County*, 401 U.S.  
26 520 (1971).)



1 District's position is that the California Streamlined Groundwater Adjudication Statutes  
2 (Code Civ. Proc., §§ 830-852) establish a procedure that, if followed, provides for the conduct of  
3 a comprehensive adjudication consistent with, and in satisfaction of, the McCarran Amendment.  
4 (Code Civ. Proc., § 830(b)(6).) In other words, satisfying all notice and service requirements  
5 under Code of Civil Procedure section 830 *et seq.* and related court orders, as District has,  
6 establishes a court's jurisdiction over all those claiming an interest or potential interest in  
7 extraction of water from, or use of storage space within, the Basin, including de minimis  
8 pumpers and non-users. District will seek to bind all joined parties, including all minor water  
9 pumpers, through a final judgment and physical solution, subject to the Court's continuing  
10 jurisdiction.

11 Accordingly, District is amenable to a stipulated order recognizing this Court's  
12 jurisdiction over all water users, including all minor water pumpers, in satisfaction of the  
13 McCarran Amendment.

14 **2. RECOMMENDED DATES AND TIMES**

15 A. NEXT STATUS CONFERENCE

16 The Parties recommend the next status conference be set in approximately sixty (60)  
17 days.

18 B. UPCOMING LAW AND MOTION HEARING RE TRIAL SETTING

19 As stated in the Joint Statement for the March 17, 2023 Status Conference, as soon as the  
20 Judicial Council makes its judicial assignment, District, Plaintiffs, Searles, and Meadowbrook  
21 will file a motion and propose, among other things, the phasing of trial, potential trial dates,  
22 discovery scheduling, and a deadline for initial disclosures. The motion will also brief the issue  
23 of the Court's authority to determine safe yield and to impose a physical solution.

24 The Authority, County of Kern, and City of Ridgecrest agree that the issues of phasing  
25 and scope of proceedings should be addressed, and suggest that when the Court is formally  
26 assigned by the Judicial Council, that a briefing schedule be set to allow parties to submit their  
27 proposals and to respond.

1 C. JURISDICTION OVER ALL WATER USERS IN SATISFACTION OF THE  
2 MCCARRAN AMENDMENT

3 The United States proposes that in order to meet the requirements for maintaining  
4 jurisdiction over the United States, the parties stipulate to an order recognizing the Court's  
5 jurisdiction over all water users, including minor water users, and the material effect of minor  
6 water users on the groundwater rights of other parties. (*See* Code Civ. Proc., § 833(d).) Should  
7 the parties not be willing to stipulate to the Court's jurisdiction over minor water users, the  
8 United States' position is that the question of whether minor water users are going to be  
9 exempted pursuant to Code of Civil Procedure section 833(d) is a threshold jurisdictional issue  
10 which must be resolved prior to phasing of the trial.

11 **3. SUMMARY OF REQUESTS**

12 Based on the foregoing report, the Parties respectfully request that the Court consider  
13 taking the following actions:

14 A. EXPERT DISCLOSURES: Continue to refrain from setting a deadline for expert  
15 disclosures pursuant to Code of Civil Procedure section 843 until setting the first  
16 phase of trial and then set disclosure deadlines in phases as to the issues to be  
17 tried during each phase.

18 B. DISCOVERY STAY: Continue the stay on discovery until setting the first phase  
19 of trial and then lift the discovery stay in phases as to the issues to be tried during  
20 each phase.

21 C. INITIAL DISCLOSURES: Continue the stay on initial disclosures through a  
22 further status conference in approximately sixty (60) days.

23 D. NEXT STATUS CONFERENCE: Set a further status conference in  
24 approximately sixty (60) days.

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DATED: May 26, 2023

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By:           /s/ Elisabeth L. Esposito            
Scott S. Slater  
Robert J. Saperstein  
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MOJAVE PISTACHIOS, LLC;  
JOHN THOMAS CONAWAY;  
JOHN THOMAS CONAWAY TRUST;  
JOHN THOMAS CONAWAY LIVING TRUST u/d/t  
August 7, 2008;  
NUGENT FAMILY TRUST;  
SIERRA SHADOWS RANCH LP  
Attorneys for Cross-Defendant  
INYOKERN COMMUNITY SERVICES DISTRICT

DATED: May 26, 2023

MURPHY & EVERTZ LLP

By:           /s/ Douglas J. Evertz            
Douglas J. Evertz  
Emily L. Madueno  
Attorneys for Defendant, Cross-Complainant, &  
Cross-Defendant  
INDIAN WELLS VALLEY WATER DISTRICT

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DATED: May 26, 2023

BEST BEST & KRIEGER LLP

By:           /s/ Jeffrey V. Dunn

Eric L. Garner  
Jeffrey V. Dunn  
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Attorneys for Defendant, Cross-Defendant, &  
Cross-Complainant  
SEARLES VALLEY MINERALS INC.

DATED: May 26, 2023

FENNEMORE LLP

By:           /s/ Derek R. Hoffman

Derek R. Hoffman  
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Attorneys for Defendants & Cross-Defendants  
MEADOWBROOK DAIRY REAL ESTATE, LLC;  
BIG HORN FIELDS, LLC;  
BROWN ROAD FIELDS, LLC;  
HIGHWAY 395 FIELDS, LLC;  
THE MEADOWBROOK MUTUAL WATER  
COMPANY

DATED: May 26, 2023

U.S. DEPARTMENT OF JUSTICE

By:           /s/ R. Lee Leininger

R. Lee Leininger  
David W. Gehlert  
Attorneys for Cross-Defendant  
THE UNITED STATES OF AMERICA

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DATED: May 26, 2023

OFFICE OF THE ATTORNEY GENERAL

By:           /s/ Noah Golden-Krasner          

Noah Golden-Krasner  
Attorneys for Cross-Defendants  
CALIFORNIA DEPARTMENT OF FISH AND  
WILDLIFE;  
CALIFORNIA DEPARTMENT OF PARKS AND  
RECREATION;  
CALIFORNIA 53<sup>rd</sup> DISTRICT AGRICULTURAL  
ASSOCIATION

DATED: May 26, 2023

ALESHIRE & WYNDER, LLP

By:           /s/ W. Keith Lemieux          

W. Keith Lemieux  
Alex Lemieux  
Attorneys for Cross-Defendants  
CITY OF RIDGECREST;  
INDIAN WELLS VALLEY GROUNDWATER  
AUTHORITY

DATED: May 26, 2023

KERN COUNTY OFFICE OF COUNTY COUNSEL

By:           /s/ Phillip W. Hall          

Phillip W. Hall  
Attorneys for Cross-Defendants  
COUNTY OF KERN;  
INDIAN WELLS VALLEY GROUNDWATER  
AUTHORITY

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DATED: May 26, 2023

RICHARDS, WATSON & GERSHON

By:           /s/ Kyle Brochard          

James L. Markman  
B. Tilden Kim  
Kyle Brochard  
Darrelle M. Field  
Jacob Metz  
Attorneys for Cross-Defendant  
INDIAN WELLS VALLEY GROUNDWATER  
AUTHORITY

DATED: May 26, 2023

ARNOLD LaROCHELLE MATHEWS VANCONAS &  
ZIRBEL LLP

By:           /s/ Gary D. Arnold          

Gary D. Arnold  
Attorneys for Cross-Defendant  
LITTLE LAKE RANCH, INC.

DATED: May 26, 2023

LAW OFFICES OF YOUNG WOOLDRIDGE, LLP

By:           /s/ Brett A. Stroud          

Brett A. Stroud  
Attorneys for Cross-Defendant  
BT-OH, LLC



1 **PROOF OF SERVICE**

2 *Mojave Pistachios, LLC; et al. v. Indian Wells Valley Water District; et al.*

3 Orange County Superior Court – Civil Complex Center

4 The Honorable William Claster, Dept. CX104

5 Case No. 30-2021-01187275-CU-OR-CJC

6 Related to: Case No. 30-2021-01187589-CU-WM-CXC; Case No. 30-2021-01188089-  
7 CU-WM-CXC; Case No. 30-2022-01239479-CU-MC-CJC; Case No. 30-2022-01239487-CU-  
8 MC-CJC; & Case No. 30-2022-01249146-CU-MC-CJC

9 I am a resident of the State of California, over 18 years of age and not a party to this  
10 action. I am employed in the County of Orange, State of California. My business address is 650  
11 Town Center Drive, Suite 550, Costa Mesa, CA 92626.

12 On May 26, 2023, I served true copies of the following document(s) described as  
13 **JOINT STATUS CONFERENCE STATEMENT (6/2/2023)** on the interested parties in this  
14 action as follows:

15 **PLEASE SEE SERVICE LIST**

16 **BY MAIL:** I enclosed the document(s) in a sealed envelope or package addressed to the persons  
17 at the addresses listed above and placed the envelope for collection and mailing, following our  
18 ordinary business practices. I am readily familiar with Murphy & Evertz LLP’s practice for  
19 collecting and processing correspondence for mailing. On the same day that the correspondence  
20 is placed for collection and mailing, it is deposited in the ordinary course of business with the  
21 United States Postal Service, in a sealed envelope with postage fully prepaid.

22 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** I caused a copy of the document(s) to  
23 be sent from e-mail address aconstant@murphyevertz.com to the persons at the e-mail addresses  
24 listed in the Service List. I did not receive, within a reasonable time after the transmission, any  
25 electronic message or other indication that the transmission was unsuccessful.

26 **BY POSTING:** I transmitted the document(s) listed above to the Case Anywhere via electronic  
27 transfer through the Internet, consistent with the Court’s December 2, 2022 Order Authorizing  
28 Electronic Filing and Service – Case Anywhere LLC.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **May 26, 2023**, at Costa Mesa, California.



Alexandra Constant



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**SERVICE LIST**

*Mojave Pistachios, LLC; et al. v. Indian Wells Valley Water District; et al.*

Orange County Superior Court – Civil Complex Center

The Honorable William Claster, Dept. CX104

Case No. 30-2021-01187275-CU-OR-CJC

Related to: Case No. 30-2021-01187589-CU-WM-CXC; Case No. 30-2021-01188089-CU-WM-CXC; Case No. 30-2022-01239479-CU-MC-CJC; Case No. 30-2022-01239487-CU-MC-CJC; & Case No. 30-2022-01249146-CU-MC-CJC

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15	1210 W. Gray Ave.	George A. Bertrand, Jr., and Carol L.
16	Ridgecrest, CA 93555	Bertrand Revocable Living Trust dated
17	Tel. (760) 446-6600	September 28, 1990;
18	<a href="mailto:bertrandrocks@yahoo.com">bertrandrocks@yahoo.com</a>	Carol L. Bertrand, Trustee of the George A.
19		Bertrand, Jr., and Carol L. Bertrand
		Revocable Living Trust dated September 28,
		1990
		VIA E-MAIL
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13	Hector Gonzalez 6563 Cactus Ave. Inyokern, CA 93527 Tel. (661) 617-0537 <a href="mailto:hg23571@gmail.com">hg23571@gmail.com</a>	<i>Cross-defendant</i> Hector Gonzalez  VIA E-MAIL
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20	Houston and Jones Partnership George A. Jones Carolyn T. Jones William G. Houston Donna G. Houston 7979 SVL Box 12711 Spring Valley Parkway Victorville, CA 92395-5163 Tel. (760) 953-1590 (Houston) Tel. (530) 949-7228 (Jones) <a href="mailto:houstondg@msn.com">houstondg@msn.com</a> <a href="mailto:carolyntaylorjones@gmail.com">carolyntaylorjones@gmail.com</a>	<i>Cross-defendant</i> Houston & Jones Partnership  VIA E-MAIL



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25	Community Association	
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	818 E. Laura	Julie Crews
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24	V. H. Shull	<i>Cross-defendants</i>
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26	1 Chamonix Lane	Beaujourn Shull aka Barbara Ann Shull
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5 6 7 8	Vicki Rizzardini 830 W. Howell Ave. Ridgecrest, CA 93555 Tel. (760) 382-1311 <a href="mailto:vickiwesternhomes@gmail.com">vickiwesternhomes@gmail.com</a> <a href="mailto:rizzardiniv@gmail.com">rizzardiniv@gmail.com</a>	<i>Cross-defendant</i> Vicki Rizzardini, as Trustee for the Herbert M. Rizzardini and Vicki Rizzardini Joint Living Trust  VIA E-MAIL
9 10 11	Walter J. Grams 8671 Salish Rd. Garden Grove, CA 92841-1903 Tel.: (714) 330-0708 <a href="mailto:waltergrams@yahoo.com">waltergrams@yahoo.com</a>	<i>Cross-defendant</i> Walter J. Grams  VIA E-MAIL
12 13 14 15	Walter Trezza Debra Trezza 1017 W. Airport Ave. Lompoc, CA 93436 Tel. (805) 705-1388 <a href="mailto:waltertrezza1941@gmail.com">waltertrezza1941@gmail.com</a>	<i>Cross-defendants</i> Walter Trezza; Debra Trezza; Trezza Family Trust  VIA E-MAIL
16 17 18 19 20 21	West & Irene Katzenstein, Co-Trustees 1450 Sydnor Ave. Ridgecrest, CA 93555 Tel. (760) 446-6785 <a href="mailto:wikatzen@mchsi.com">wikatzen@mchsi.com</a>	<i>Cross-defendants</i> West E. Katzenstein, Co-Trustee of the West and Irene Katzenstein 2007 Trust, dated September 7, 2007; Irene J. Katzenstein, Co-Trustee of the West and Irene Katzenstein 2007 Trust, dated September 7, 2007  VIA E-MAIL
22 23 24 25	William A. Burns 247 N. Rebel Road Ridgecrest, CA 93555 Tel. (559) 920-1382 <a href="mailto:bburns@mediacombb.net">bburns@mediacombb.net</a>	<i>Cross-defendant</i> William A. and Judy A. Burns Revocable Living Trust  VIA E-MAIL
26 27 28	William L. O'Neill 1267 Hidden Mt. Drive El Cajon, CA 92019 Tel. (619) 442-2382 <a href="mailto:oneilldesign@cox.net">oneilldesign@cox.net</a>	<i>Cross-defendant</i> Jones Mortgage Profit Sharing Plan, fbo William L. O'Neill, Trustee  VIA E-MAIL

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*Cross-defendants*  
William R. Switzer, Trustee of the WR/MR  
Switzer Community Property Trust;  
William R. Switzer, Trustee of the William R.  
Switzer Trust;  
Melanie R. Switzer, Trustee of the WR/MR  
Switzer Community Property Trust  
  
VIA E-MAIL